

DEC 30 2004

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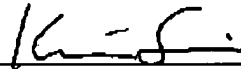
TO: Examiner: PHU, PHUONG M  
Art Unit: 2631  
Fax Number: (703) 872-9306

FROM: Kevin J. Simons  
Reg. Number: 45,110  
Fax Number: (408) 474-9082

RE: Serial No.: 09/938,381  
Docket No.: AT 000044

3 Pages (including cover sheet)

This transmission includes: Response to Election Requirement

<b>Certificate of Transmission under 37 CFR 1.8</b>	
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office Fax No. (703) 872-9306	
On: <u>December 30, 2004.</u>	 _____ Kevin J. Simons

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION  
Philips Electronics North America Corp.  
1109 McKay Drive; Mail Stop SJ41  
San Jose, CA 95131 USA

DEC 30 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Attorney Docket No.:

Amtmann

AT 000044

Appl. No.: 09/938,381 Conf. No.: 2460

Art Unit: 2631

Filed: 08/24/2001

Examiner: Phu, Phuong M

Title: COMMUNICATION STATION AND DATA CARRIER WITH IMPROVED  
ACKNOWLEDGEMENT MEASURESMail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450TRANSMITTAL BY FAX

Sir:

A total of 2 pages are in this submission, which include this transmittal and the following:

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Amendment/Reply               | <input type="checkbox"/> Combined Declaration and Power of Attorney |
| <input type="checkbox"/> Extension of Time Request                | <input type="checkbox"/> Drawing(s) - sheet(s)                      |
| <input type="checkbox"/> Fees attached in the amount of \$ _____  | <input type="checkbox"/> Power of Attorney, Revocation, Change of   |
| <input type="checkbox"/> Information Disclosure Statement         | Correspondence Address  |
| <input type="checkbox"/> Copy(ies) of cited references            | <input type="checkbox"/> Notice of Appeal                           |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Ap. | <input type="checkbox"/> Status Letter                              |
| <input type="checkbox"/> Copy of USPTO Notice                     | <input type="checkbox"/> Other: _____                               |
| <input type="checkbox"/> Assignment Papers (for an Application)   |   |

The Commissioner is hereby requested and authorized pursuant to 37 CFR §1.136(a)(3), to treat any concurrent or future reply in this application requiring a petition for extension of time for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. Please charge any additional fees which may now or in the future be required in this application, including extension of time fees, but excluding the issue fee unless explicitly requested to do so, and credit any overpayment, to Deposit Account No. 14-1270.

Respectfully submitted,

By Kevin Simons

Kevin Simons, Reg. No. 45,110

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## CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to  
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By

Kevin J. Simons

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## RESPONSE TO ELECTION REQUIREMENT

Sir:

In the Office Action dated November 30, 2004, the Examiner indicated that claims 1-8 (Group I) and claims 9-12 (Group II) were patentably distinct. The Examiner required that Applicant elect a single invention for further prosecution.

In response, Applicant hereby elects, without traverse, claims 1-8 (Group I) for further prosecution on the merits.

Please charge any fees which may be required, except the issue fee, or credit any overpayment to Deposit Account No. 14-1270.

Date: December 30, 2004

Respectfully submitted,

By



Kevin Simons, Reg. No. 45,110

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